

HOUSE BILL ANALYSIS

HB 2424

Title: *An act relating to disclosure of social security numbers by schools and school districts.*

Brief Description: *Regulating disclosure of students' social security numbers.*

Sponsors: *Representatives Mulliken, Johnson, Thompson, Smith, Cairnes, McDonald, Lambert, Koster and B. Thomas.*

HOUSE COMMITTEE ON EDUCATION

Meeting Date: *January 23, 1998.*

Bill Analysis Prepared by: *Jim Morishima (786-7191).*

Background: In general, federal law (the Privacy Act of 1974) requires all governmental agencies requesting the disclosure of an individual's social security number to notify the individual of the following: (1) whether disclosure of the number is required or optional; (2) which authority permits the agency to request disclosure of the number; and (3) how the number will be used.

Currently, state laws do not provide limitations on a public school's request for disclosure of a student's social security number.

Summary of Bill: School districts and public schools are prohibited from requesting a student's social security number unless (1) the social security number is needed for Medicaid reimbursement, (2) the social security number is needed for compliance with federal law explicitly requiring disclosure, or (3) the social security number is needed for employment purposes when the student is an employee of the school district.

When a school requests disclosure of a student's social security number, a parent or guardian must sign a consent form that contains a disclosure statement. The disclosure statement must detail (1) whether the disclosure is mandatory or voluntary, (2) the information that will be collected using the number, (3) the federal or state law that requires the disclosure, and (4) who will have access to the number. A parent's consent for any other purpose does not constitute consent for disclosure of the parent's child's social security number.

A school cannot release a student's social security number without the written consent of the student (if the student is over eighteen) or the student's parent (if the student is under eighteen). The request for release must detail the same four factors as the

disclosure statement described above. A parent's consent for any other purpose does not constitute consent for disclosure of the parent's child's social security number.

Longitudinal studies that involve the disclosure of a student's social security number must be approved by the school board. Before a student can participate, the entity conducting the study must obtain written permission from the student (if the student is over eighteen) or the student's parent (if the student is under eighteen). Any request for disclosure of the student's social security number for this purpose must include (1) an explanation that participation is voluntary, (2) the information that will be collected using the number, (3) who will have access to the number, (5) how long the study will last, what will happen to the information after the study, and (6) the date the school board reviewed and approved participation in the study. A parent's consent for any other purpose does not constitute consent for disclosure of the parent's child's social security number.

A school can still develop individual identification numbers as long as the numbers are unrelated to the students' social security numbers. If a student's social security number is collected or released, it can only be used for the purpose it was collected and for which the student's parent has given prior written permission. If a student's parent refuses to disclose the student's social security number, the school cannot deny the student any right, benefit, or privilege provided by law.

Appropriation: *None.*

Fiscal Note: *None requested.*

Effective Date: *Ninety days after adjournment of session in which bill is passed.*